
OLR Bill Analysis

sSB 886 (File 111, as amended by Senate “A” and “B”)*

AN ACT CONCERNING AGING IN PLACE.

SUMMARY:

This bill makes changes in several statutes to help senior citizens remain in their own homes and communities as they age (i.e., “age-in-place”). Specifically, it:

1. requires the Department of Social Services (DSS) to incorporate into its existing efforts coordinated outreach to increase the use of the supplemental nutrition assistance program (SNAP) by seniors, among others (§ 1);
2. requires local plans of conservation and development (C & D) to consider allowing seniors and individuals with disabilities to remain in their homes and communities (§ 2);
3. specifies that the exemption from obtaining a State Building Code variance or exemption for constructing homes with visitable features includes certain building ramps allowing wheelchair access (§ 3);
4. adds anyone paid by an institution, organization, agency, or facility to care for seniors to the list of mandated elder abuse reporters and establishes a related training requirement for their employers (§ 4);
5. requires DSS, by July 1, 2014, to begin annually reporting to the legislature on elder abuse and neglect complaints it received in the previous calendar year (§ 5); and
6. requires the Department of Consumer Protection (DCP), in collaboration with the aging and social services departments, to

conduct a public awareness campaign, within available funding, to educate seniors and caregivers on ways to resist aggressive marketing tactics and scams (§ 6).

*Senate Amendment “A” replaces the original bill (File 111). It (1) requires DSS to incorporate into its existing efforts outreach to increase SNAP program utilization, instead of creating a new coordinated outreach program; (2) permits, rather than requires, local plans of C & D to include planning that allows seniors and individuals with disabilities to age in place; and (3) requires DCP to collaborate with DSS, in addition to the Aging Department, when conducting its public awareness campaign on aggressive marketing tactics and scams.

It removes provisions regarding (1) state dial-a-ride grant program funds, (2) state personal income tax deductions for long-term care premiums, (3) dependent care state income tax credits, and (4) a new DCP voluntary elder financial abuse training and reporting system. It also makes minor changes to the provision on mandated elder abuse reporters.

*Senate Amendment “B” replaces Senate Amendment “A” and the original bill. It (1) requires DSS to implement the SNAP outreach provision only within available appropriations, (2) specifies that wheelchair access ramps eligible for certain state building code exemptions must comply with the code’s International Residential Code portion, (3) removes provisions establishing a uniform recording system for elder abuse and neglect complaints; and (4) makes minor changes to the provision regarding mandated elder abuse reporters.

EFFECTIVE DATE: July 1, 2013

§ 1 — SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The bill requires the DSS commissioner, within available appropriations, to incorporate into existing efforts coordinated outreach to increase awareness and utilization of the state’s SNAP program (formerly known as Food Stamps) by those eligible for the program, including recipients of public assistance and home-delivered

and congregate meals.

§ 2 — LOCAL PLANS OF CONSERVATION AND DEVELOPMENT (C & D)

The bill requires local plans of C & D to consider allowing seniors and individuals with disabilities to live in their homes and communities, whenever possible. Specifically, these plans may include allowing for home sharing and accessory apartments (e.g., in-law apartments or modular mobile homes for seniors).

By law, a local planning commission must prepare or amend a plan of C & D for its municipality every 10 years.

Home-Sharing

The bill allows local plans of C & D to permit home sharing in single-family zones for up to four adults (1) ages 60 and older or (2) with disabilities of any age. These individuals need not be related, but must receive support services at home.

Accessory Apartments

Under the bill, local plans of C & D may also allow for accessory apartments for seniors (age 60 or over), individuals with disabilities, or their caregivers in all residential zones. The apartments would be subject to municipal zoning regulations concerning design and the principal property's long-term use.

Plans may also expand the definition of "family" in single-family zones to allow for these accessory apartments.

§ 3 — STATE BUILDING CODE

The law exempts developers from a requirement to obtain a State Building Code variance or exemption to construct visitable features in homes. These features include (1) interior doorways that provide a minimum 32-inch wide clear opening, (2) at least one accessible means of egress, and (3) at least one full or half bathroom on the first floor that complies with the 1990 Americans with Disabilities Act, as amended.

The bill specifies that an accessible means of egress includes a ramp intended to allow wheelchair access that complies with the International Residential Code portion of the State Building Code.

§ 4 — MANDATED REPORTERS OF ELDER ABUSE

The law requires certain professionals to notify DSS when they suspect someone age 60 or older (1) has been abused, neglected, abandoned, or exploited or (2) needs protective services. The bill adds to the list of mandated reporters, anyone paid by an institution, organization, agency, or facility to care for an elderly person, including employees of (1) community-based services providers, (2) senior centers, (3) home care and homemaker-companion agencies, (4) adult day care centers, (5) village-model communities, and (6) congregate housing facilities.

The bill requires employers of these individuals to (1) provide mandatory training on detecting potential elder abuse and neglect and (2) inform staff of their mandatory reporting requirements.

§ 5 — DSS REPORT ON ELDER ABUSE AND NEGLECT COMPLAINTS

By July 1, 2014, the bill requires the DSS commissioner or his designee to begin annually reporting to the Aging, Human Services, and Public Health committees on:

1. the number of elder abuse and neglect complaints received in the previous calendar year in the categories of (a) physical abuse, (b) mental abuse, (c) self-neglect, (d) neglect by others, and (e) financial exploitation;
2. the disposition of these complaints; and
3. whether and by how much complaints in each category have increased or decreased from the previous year.

COMMITTEE ACTION

Aging Committee

Joint Favorable

Yea 12 Nay 0 (03/07/2013)

Public Safety and Security Committee

Joint Favorable

Yea 24 Nay 0 (04/17/2013)

Human Services Committee

Joint Favorable

Yea 12 Nay 3 (05/02/2013)

Judiciary Committee

Joint Favorable

Yea 32 Nay 4 (05/14/2013)